

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/JP2005/010453

International filing date (day/month/year)
01.06.2005

Priority date (day/month/year)
02.06.2004

International Patent Classification (IPC) or both national classification and IPC
H04N7/58, H04N7/24

Applicant
MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2005/010453

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2005/010453

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1,8,9,10,11,13,15,16
Inventive step (IS)	Yes: Claims	4
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

2. Citations and explanations

see separate sheet

- 1 The application does not meet the requirements of Article 6 PCT, because the independent claims are not clear.
- 2 It is clear from the description that the following emphasised features (presently in claims 1 to 4 inclusive) are essential to the definition of the invention:
 1. A multiplexing apparatus for multiplexing one or more coded streams with other information, the coded streams including coded pictures in a unit of a randomly-accessible access unit, said multiplexing apparatus comprising: a coding unit operable to generate the coded streams so that no gap occurs at a connection of predetermined two access units in a process of decoding, in sequence, the two access units in all of access units included in the coded streams; and a multiplexing unit operable to multiplex, with the other information, the coded streams generated by said coding unit;
 2. The multiplexing apparatus according to Claim 1, wherein said coding unit is operable to generate the coded streams so that delay amounts in the two access units become equal to each other, each of the delay amounts being a time lag from when a top picture in a decoding order is decoded to when a top picture in a display order is displayed;
 3. The multiplexing apparatus according to Claim 2, further comprising a delay information generation unit operable to generate delay information concerning the delay amounts, wherein said multiplexing unit is operable to multiplex, with the other information, the delay information generated by said delay information generation unit; and.
 4. The multiplexing apparatus according to Claim 3, wherein said delay information generation unit is operable to generate the delay information indicating the delay amounts.
- 3 Since the independent claims do not contain these features in the form appropriate to the respective claim category (e.g. steps of a method or means in apparatus etc.) they do not meet the requirement following from Article 6 PCT taken in combination

with Rule 6.3(b) PCT that any independent claim must contain all the technical features essential to the definition of the invention.

- 4 In their present state, the independent claims define nothing more than the mere desire to overcome a problem of avoiding annoying gaps in the presentation of otherwise disjoint clips (RAUs) "...so that no gap occurs at a connection of predetermined two access units...".
- 5 However, this is the underlying goal of all the prior art references cited in the search report. This demonstrates that at the application's priority date the desire now claimed (that of providing so called "seamless" transitions between otherwise disjoint clips) was in fact well known.
- 6 The present application appears to base upon the particular manner in which that goal is to be achieved and the features highlighted above appear to be essential thereto.
- 7 In consequence, and the above-mentioned lack of clarity notwithstanding, the subject-matter of the independent claims is not new in the sense of Article 33(2) PCT, and therefore the criteria of Article 33(1) PCT are not met.